IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 664 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE N.G.NANDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JESA DEVA

Versus

STATE OF GUJART

Appearance:

1. Special Civil Application No. 664 of 1988

MR PH PATHAK for Petitioner No. 1

M.R. MENGDEY, AGP for Respondent No. 1

MR JR NANAVATI for Respondent No. 2

CORAM : MR.JUSTICE N.G.NANDI

Date of decision: 03/05/2003

ORAL JUDGEMENT

1. Heard Mr. M.M. Parmar, for Mr. P.H. Pathak,

learned advocate for the petitioner. It is stated by Mr. J.R. Nanavati, learned advocate for the respondent that the services of the petitioner has been regularisd by the respondent Municipality, and therefore, the present petition has become infructuous.

It is stated by Mr. Parmar that, on the basis of the statement made by learned advocate for the respondent the petition may be disposed of as not surviving, but, with a liberty to the petitioner to revive the petition if the regularisation of the petitioner's service is not with effect from the date the service of the employee junior to the petitioner has been regularised.

2. In view of the above statement made by Mr. J.R. Nanavati for the respondent, the petition is dismissed as not surviving, with leave and liberty as above reseved to the petitioner.

3. Petition dismissed as not surviving. Rule discharged. Interim relief stands vacated. No costs.

Dt: 3-5-2003 (N.G. Nandi, J)

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